

Case No.: 4435/79243

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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the specification	of which	is attached heret	o unless the follo	owing space	e is checked:			
(check one)	[x ]	is attached here was filed on <u>Ju</u> Application Ser And was amend		<u> 355</u>	, if applicable			
I hereby state that as amended by a				s of the abo	ve-identified speci	ification, in	ncludin	g the claims
					or described in a r to this application		public	ation in any
I do not know an than one year pr			nvention was in p	oublic use o	r on sale in the U	ntied State	s of A	merica more
I acknowledge the with Title 37 CA			ation which is ma	terial to the	e examination of t	his applica	ation ir	accordance
certificate, listed	below and	l have also identi	nder 35 U.S.C. § ified below any f on which priority	oreign appl	foreign applicatication for patent of the control o	ion(s) for por inventor	patent 's certi	or inventor' ficate havin
Prior Foreign A	pplication(	(s):					Priori Claim	
(Number)		(Coun	try)	<del></del>	(Day/Month/Ye	ar filed	Lj	LJ
I hereby claim t	he benefit	under 35 U.S.C.	. § 119(e) of any	United Sta	tes provisional ap	plication(	s) listed	i below:
Applic	ation Num	<u>ber</u>	Filing Date					

1.

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number

Filing Date

Status — patented, pending, abandoned

1.

I hereby appoint the following attorneys and agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Peter D. McDermott

Reg. No. 29411

John P. Iwanicki

Reg. No. 34628

Dale A. Malone

Reg. No. 32155

Kathleen M. Williams

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as my Attorneys.

Address all correspondence to:

Kathleen M. Williams, Esq. BANNER & WITCOFF, LTD. 28 State Street, 28th Floor Boston, MA 02109

Direct all telephone calls to Kathleen M. Williams, Esq. at (617) 227-7111.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature:

Fill Name of Inventor: Joseph A. Sorge

Residence: United States Citizenship: United States

Post Office Address: 5320 Pine Meadow Road, Wilson, WY 83014

Inventor's signature:

Fill Name of Inventor: Ronald W. Davis

Residence: United States Citizenship:United States

Post Office Address: Stanford Genome Center, 855 California Avenue, Palo Alto, California USA 94304



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee:	Joseph A. Sorge and Ronald W. Davis
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Serial No.: 09/338,855

Filed: June 23, 1999

Entitled: Methods of Enriching for and identifying Polymorphisms

Attorney Docket No.: 4435/79243

## VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(d) AND 1.27(d)) -SMALL BUSINESS CONCERN

I hereby declare that I am an official empowered to act on behalf of the small business concern identified below:

Name of Organization:

Stratagene

Address of Organization:

11011 North Torrey Pines Road

La Jolla, CA 92130

I hereby declare that the small business concern identified above qualifies as a small business concern as defined in 37 C.F.R. § 1.9(d) for purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled

## Methods of Enriching for and Identifying Polymorphisms

by inventor(s)	Joseph A. Sorge and Ronald W. Davis
described in	
[] []	the specification filed herewith Application Serial No. 09/338,855, filed June 23, 1999 Patent No, issued

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern with regard to the above-identified invention.

If the rights held by the above identified small business concern are not exclusive, each individual concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d), or a nonprofit organization under 37 CFR § 1.9(e).

Ronni Sherman
NAME OF PERSON SIGNING
Executive Vice President & General Counsel
TITLE IN ORGANIZATION
STRATAGENE
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11011 North Torrey Pines Road, La Jolla, CA 92037
COMPANY
forit -
SIGNATURE
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November 17, 1999
DATE